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District of Arizona*

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TWO MEXICAN NATIONALS EXTRADITED FROM MEXICO TO FACE CHARGES IN NACO, ARIZ. DRUG TUNNEL CASE

TUCSON, Ariz. - Francisco Valle-Hurtado, 37, and Ruben Ultreras-Estrada, 37, both of Naco, Sonora, Mexico, were extradited to the United States on May 31, 2006, to face trial in U.S. District Court in Tucson for drug trafficking and firearms charges in connection with a 1999 Naco, Ariz. drug tunnel.

On May 31, 2006, Valle-Hurtado and Ultreras-Estrada made their initial appearances in federal court before U.S. Magistrate Judge Nancy Stein Nowak in the Western District of Texas, and were informed of the charges in the indictment. Judge Nowak remanded both to the custody of the U.S. Marshals Service, and set the matter for a hearing on Monday, June 5, 2006, to address the defendants' removal to the District of Arizona.

The indictment alleges that both Valle-Hurtado and Ultreras-Estrada conspired to possess with intent to distribute five kilograms or more of cocaine. Additionally, the indictment alleges that Valle-Hurtado possessed with intent to distribute over 2000 pounds of cocaine in each of three separate instances, and that he used and carried a firearm during and in relation to each of these three drug trafficking crimes.

Paul K. Charlton, U.S. Attorney for the District of Arizona, commended both the American and Mexican authorities for exhibiting the spirit of international cooperation in working together to fight the war on drugs. Mr. Charlton stated, "The success in bringing drug traffickers to justice is due to the diligence and combined efforts of law enforcement on both sides of the border. It is through working together, as we have done in this case, that we will prevail in the fight against drugs."

"This investigation highlights that the FBI is still committed to combating significant drug trafficking organizations, working with our law enforcement partners on the local, state, and federal levels. The apprehension of these two fugitives would not have occurred without a team approach with our law enforcement partners in the U.S., as well as in Mexico," stated Brian D. Filbert, Acting Assistant Special Agent in Charge, Tucson Resident Agency, Phoenix Division.

DEA Special Agent in Charge Timothy J. Landrum stated, "The drug trade has become a losing proposition for traffickers: they will not only get caught and extradited to face American justice, but they will also be stripped of their drug proceeds. DEA is committed to working with our partners in the Mexican Government in dismantling international drug organizations wherever they may operate. We know that cocaine, like so many drugs, isn't confined to one nation. As illustrated with drug tunnels, its dangers spread far and wide beyond any border."

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Roger Vanderpool, Director of the Arizona Department of Public Safety stated, "The recent extradition from Mexico of two suspects demonstrates the Mexican Government's willingness to cooperate with Arizona and US officials. The suspects in this case, were attempting to poison our communities in Arizona by importing illegal drugs into the United States through a tunnel from Mexico. The Department of Public Safety remains committed to stopping the flow of illicit drugs into the US with the combined efforts of all state and federal authorities."

On December 4, 2005, agents of the Mexican Agencia Federal de Investigación (AFI) arrested Valle-Hurtado and Ultreras-Estrada in Naco and Cananea, Sonora, Mexico, on warrants associated with an indictment in federal court in Tucson, Ariz. The Mexican government, at the request of the U.S. government, had issued provisional arrest warrants for both defendants. Valle-Hurtado and Ultreras-Estrada remained in Mexican custody pending adjudication of the United States' request for their extradition. On May 31, 2006, the Mexican government approved the rendition of both men to the United States to stand trial on the charges in the indictment, and they were transported from Mexico to San Antonio, Texas.

A conviction for any of the cocaine trafficking charges carries a maximum penalty of life in prison, a \$4 million fine or both. A conviction for the firearms charge alleged in count 7 of the indictment carries a maximum sentence of not less than 10 years in prison, a \$250,000 fine or both. Convictions for the firearms charges alleged in counts 9 and 11 of the indictment carry maximum sentences of not less than 30 years in prison, a \$250,000 fine or both. In determining an actual sentence, United States District Court Judge John M. Roll will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

Of the other 48 individuals charged in this case, 39 have been convicted and received sentences ranging from 25 years in prison to terms of probation. The lead defendants received prison sentences as follows: William B. Dillon, 25 years; Francisco Javier Alvarez, 15.6 years; Jose E. Loya, 15 years; Jesus David Alvarez, 10 years; and Richard Valenzuela, 10 years. Seven co-defendants remain at large and two were dismissed from the case.

The investigation preceding the indictment was conducted by FBI, Ariz. Department of Public Safety, DEA and ICE. The prosecution is being handled by James T. Lacey, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz.

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